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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,737	03/04/2002	Jukka Kela	1030.41370X00	2202
20457	7590	10/29/2003	EXAMINER	DUONG, THOI V
ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-9889			ART UNIT	PAPER NUMBER
			2871	

DATE MAILED: 10/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/086,737	KELA ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Thoi V Duong	2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 08 August 2003.
- 2a) This action is FINAL.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 19-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 19-33 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> . | 6) <input type="checkbox"/> Other: _____ .                                   |

## **DETAILED ACTION**

1. This office action is in response to the Amendment, Paper No. 6, filed August 08, 2003.

Accordingly, claims 1-18 were cancelled, and new claims 19-33 were added.

Currently, claims 19-33 are pending in this application.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 22-24 recite the limitation "the printed circuit board" in line 2 of the claims.

There is insufficient antecedent basis for this limitation in the claims.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 19-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inubushi et al. (USPN 6,064,453) in view of Kaga et al. (USPN 6,216,329 B1).

As shown in Figs. 1-6, Inubushi et al. discloses a display arrangement for holding a liquid crystal display 4 in a position relative to a housing including first and second housing parts 8, 1 (as well as a method for arranging the same), comprising an elastic part 7 (rubber sheet) located between the liquid crystal display 4 and the second

housing part 1, a cavity (see Fig. 3) located between a periphery of the liquid crystal display 4 and the first housing part 8,

wherein the first housing part 8 covers the periphery and the bottom surface of the liquid crystal display and the second housing part 1 covers a periphery of a top surface of the liquid crystal display 4;

wherein the elastic part 7 surrounds an inner periphery of the second housing part 1 (see Fig. 4);

wherein the elastic part 7 is flexible and is located on the second housing part to provide pressure on the liquid crystal display and provide a dust-proof seal between the liquid crystal display and the housing (col. 3, lines 41-44 and col. 5, lines 3-8); and

wherein a side connector to a printed circuit board 10 located on a left side of the liquid crystal display 4 as shown in Fig. 4.

Inubishi et al. also discloses that the display arrangement is used in a communication terminal such as a mobile phone (col. 1, lines 6-8).

Inubishi et al. discloses a display arrangement that is basically the same as that recited in claims 19-33 except for an adhesive member applied along the periphery of the bottom surface of the LCD and attaching the LCD to the housing. As shown in Fig. 1A, Kaga et al. discloses a method for attaching a liquid crystal display (LCD) panel P to a support member, which is affixed to a housing C, with an adhesive member along the periphery of the bottom surface of the LCD panel so as to suppress the flexural deformation of the LCD panel due to an impact and improve vibration resistance (col. 1, lines 6-9 and 27-30; col. 3, lines 39-42 and col. 5, lines 4-13). Thus, it would have been

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obvious to one having ordinary skill in the art at the time the invention was made to modify the method for arranging the LCD panel in relation to a housing of Inubushi et al. with the teaching of Kara et al. by applying an adhesive member along the periphery of the bottom surface of the LCD panel and attaching the LCD panel to a housing part for fixing the panel in place and providing an impact resistance.

***Response to Arguments***

6. Applicant's arguments filed August 08, 2003 have been fully considered but they are not persuasive.

Applicant argued that the construction of Inubushi et al. and Kaga et al. do not suggest the overall combination of the recited display arrangement and that the housing of Kaga et al. is totally external to the fixing plate which is isolated from the housing by an elastic member 6. The Examiner disagrees with the Applicant's remarks since the reference of Kaga et al. is employed for teaching a method for attaching a liquid crystal display (LCD) panel to a support member with an adhesive member along the periphery of the bottom surface of the LCD panel to improve vibration resistance for a communication terminal. Although the structure of Kaga et al. is different, it is obvious that the adhesive member of Kaga et al. is applicable to the device of Inubushi et al., where the adhesive member can be formed on a holder 8 (or first housing) shown in Figs. 2-4 for fixing the LCD panel in place and improving vibration resistance.

Finally, in response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon

hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thoi V. Duong whose telephone number is (703) 308-3171. The examiner can normally be reached on Monday-Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim, can be reached at (703) 305-3492.

Thoi Duong

10/27/2003

  
T-Chowdhury  
Primary Examiner